

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4775 of 2019

Arising Out of PS. Case No.-57 Year-2017 Thana- MAGADH UNIVERSITY District- Gaya

VIKASH YADAV @ VIKASH KUMAR Son of Parmeshwar Yadav Resident
of Village - Bara, P.S.- Magadh University, Bodh- Gaya, District- Gaya
... .. Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr.Arvind Kumar Singh, Adv
For the Respondent/s : Mr.Usha Kumari 1,APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 20-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 05.08.2019 in A.B.P. No.164 of 2019 arising out of M.U. P.S.Case No.57 of 2017 passed by the learned Exclusive Special Judge, SC/ST Gaya registered under Sections 302,201,120(B) and 34 of the Indian Penal Code as well as under Sections 3(1)(E)(g) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, the husband of the informant was cleaner on the truck of the appellant. It is further stated that driver of the truck, namely, Lambu Yadav allegedly committed assault with rod to the husband of the informant,



as a result whereof, husband of the informant died during course of treatment. It is alleged that the appellant had conspired in the occurrence aforesaid, however, no reason for such conspiracy by the appellant is mentioned therein.

Considering the fact that there is no material against the appellant of his involvement in the act, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the appellant shall fully cooperate with the investigation/trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the impugned order is set aside and



this appeal stands allowed.

(Birendra Kumar, J)

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